

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:15 CR 0049 CDP (DDN)
)	
RAMIZ ZIJAD HODZIC,)	
a/k/a Siki Ramiz Hodzic,)	
)	
SEDINA UNKIC HODZIC,)	
)	
NIHAD ROSIC,)	
a/k/a Yahya AbuAyesha Mudzahid,)	
)	
MEDIHA MEDY SALKICEVIC,)	
a/k/a Medy Ummuluna,)	
a/k/a Bosna Mexico, and)	
)	
ARMIN HARCEVIC)	
)	
Defendants.)	

**GOVERNMENT'S UNOPPOSED MOTION TO CONTINUE AND REMOVE
SCHEDULED HEARINGS SET PURSUANT TO MISSOURI V. FRYE**

COMES now the United States of America, by and through its attorneys, Richard G. Callahan, United States Attorney for the Eastern District of Missouri, and Matthew T. Drake, Howard Marcus, and Kenneth Tihen, Assistant United States Attorneys for said District, Mara Kohn and Joshua Champagne, Trial Attorneys for the United States Department of Justice, National Security Division, Counterterrorism Section, and respectfully moves this Honorable Court to enter an order vacating previously scheduled hearings set pursuant to by Missouri v. Frye. In support the Government states as follows:

1. On February 17, 2017, the Government filed a Motion requesting this honorable Court set hearings pursuant to Missouri v. Frye, 566 U.S. 133, 132 U.S. 1399, 1408-09 (2012), for each respective defendant. Doc. # 363. On February 21, 2017, this Court granted the Government's motion and entered Orders scheduling hearings to make a record of any formal offers made by the Government to each defendant.¹

2. Subsequent to filing the Government's motion, the parties engaged in discussions concerning filing and litigating various pretrial motions. Pursuant to those discussions, the parties believe litigating specific pretrial motions before conducting any hearings pursuant to Missouri v. Frye would be appropriate and in the best interests of justice. As a result, the Government is respectfully requesting that this Court remove the hearings scheduled for March 16 through 21, 2017, and postpone rescheduling said hearings for a later date.

3. Additionally, the Government anticipates filing a Motion requesting a scheduling conference with the Court to make a formal record of the parties' negotiations and agreements concerning this matter, and to set a schedule for briefing and addressing the specific pretrial motion.

4. Undersigned counsel contacted defendant Ramiz Hodzic's counsel, Michael Dwyer, to discuss whether any of the defendant's objected to the Government's request to remove and postpone the Frye hearing settings. The Government was advised that the defendants collectively had no objection to the Government's request.

¹ See docket entries 364, 365, 366, 367 (Order's setting hearing for each defendant).

WHEREFORE, the Government respectfully requests that this Court enter an Order vacating the hearings pursuant to Missouri v. Frye that are set for March 16 – 21, 2017, and to postpone rescheduling the matters until a later date.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on March 8, 2017, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon counsel of record.

s/MATTHEW T. DRAKE

MATTHEW T. DRAKE, 46499MO